

To: The Madison County Board of Supervisors  
From: Purchase of Development Rights (PDR) Study Committee  
Re: Requested Response to the Planning Commission's PDR sub-committee's Report  
Date: December 6, 2009

Gentlemen,

You will find attached our point by point response to the concerns voiced by the Planning Commission's PDR sub-committee on October 21, 2009 about implementing a PDR Program in Madison.

We think a review of the process over the past two years would be useful:

- The PDR Study Committee was appointed by the BOS in late 2007, and the first meeting of the group was held in November of 2007.
- Instituting a PDR Program for Madison had been specifically recommended in the Comprehensive Plan approved by the Board and Planning Commission.
- After a number of meetings and consultations with experts in the field, the Study Committee gave an extensive written report to the Board on August 12, 2008 and made a presentation to the Board and Planning Commission. The Study Committee recommended that the County begin a public outreach/education program for County residents, hold a public hearing and institute a PDR program in 2009.

It is important to note that it was the Committee's expectation that the suggested Ordinance and Criteria would be used only as a starting point and would be carefully reviewed, tested and revised by the County Board and officials.

Pursuant to the Board's instructions to our committee, the Study Committee had:

- Reviewed the applicable legal parameters for a PDR program in the Commonwealth of Virginia.
- Reviewed PDR ordinances/programs from other VA jurisdictions.
- Met as a committee at least once per month (nine times since the October, 2007 organizational meeting).
- Provided the County Administrator and County Attorney with a draft of this report, draft ordinance, and recommended methods of financing the recommended program.
- In its August 12 report, the Study Committee recommended the following next steps:
  - Present our findings to the Board.
  - Develop an outreach plan for County residents:  
If judged necessary and appropriate by the Board, help conduct informational meetings to educate stakeholders on the purpose of the MFFPP, the way it works and its value to Madison County residents. This is historically a key

component of a successful Farm Protection program—lots of communication with landowners and citizens about how the program works and why it may benefit us all. We suggest that these sessions take place before a public hearing is held

- Maintain connections with the state PDR Manager's Group in Richmond
  - Work with the Planning Commission and the Board of Supervisors to help facilitate a public hearing and the adoption of the MFFPP ordinance by early 2009
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- Rather than pursuing the recommended schedule, the Board decided to request that the Planning Commission study the recommendations of the BOS appointed Study Committee.
  - On October 21, 2009 the Planning Commission's sub-committee gave a two page written report to the Planning Commission, listing 19 "concerns"

It is important to note that almost 15 months have passed since the initial report was made by the Board appointed PDR Study Committee.

#### Recommendation:

Clearly, although establishing a PDR Program in Madison was a strategy specifically identified in the Comprehensive Plan, there is now disagreement concerning the merits of a PDR Program. The Study Committee has always felt that much of the disagreement could be overcome by an open exchange of views after all parties are fully educated on the purpose, objectives and mechanics of a PDR program. That is why the Study Committee recommended public outreach before proceeding with public hearings and Board action.

Further, the Study Committee has always believed that a PDR Program is just one tool available to protect the agricultural and forest economy in Madison. The Committee listed other available tools in its initial report.

The PDR Study Committee now recommends that the existing Committee be reconstituted by the Board and renamed to address the overall issue of preserving agricultural and forest lands and Madison's agricultural economy. The membership should include individual stakeholders, who represent the various sectors of our agricultural economy, and appropriate organizations (Farm Bureau). It would be helpful to have a designated member from both the Board and Planning Commission. Brad Jarvis of the Extension Office and Mike Santucci of the Department of Forestry will be critical members/facilitators of this new committee.

This Committee would study all available tools, including a PDR program, for preserving the County's agricultural economy. This new Committee would be responsible for scheduling public education programs beginning in early 2010, with the first to be on the full "tool box" available to Madison County. A PDR program would be one such tool

and, since so much work has been on this voluntary program, it might have a separate educational program devoted to it.

The “job description” for the new Committee would be to report back to the Board of Supervisors by the end of June, 2010 with a list of suggested tools to be used in Madison County to allow the Board to take appropriate actions to protect and preserve our County’s agricultural and forest economies.

The PDR Study Committee hopes that its work will prove helpful to Madison County and its efforts to meet the goals and objectives so well stated in its Comprehensive Plan.

Study Committee:

Peter Rice, chair

Beth Pastore

Jacki Eisenberg

Susan Cable

Joe Johnson

Ralph Yowell

Lisa Kelley, County Administrator

Brad Jarvis, County Extension Agent

Mike Santucci, Department of Forestry